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PATENT  
ATTORNEY DOCKET NO.: GENE1400-2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Zhang and Hofmann

Art Unit: 3762

Application No.:

09/966,390

Examiner: Unassigned

Filed:

September 27, 2001

Title:

METHOD AND APPARATUS FOR ELECTRICALLY ASSISTED  
TOPICAL DELIVERY OF AGENTS FOR COSMETIC APPLICATIONS

ATTN: BOX MISSING PARTS

Commissioner for Patents

Washington, D.C. 20231

TRANSMITTAL SHEET

Sir:

Transmitted herewith for the above-identified application, please find:

1. Petition Regarding Omitted Item(s) to the Notice mailed March 20, 2002;
2. Copy of Withdrawal of Previously Sent Notice;
3. Copy of Notice of Omitted Item(s) in a Nonprovisional Application;
4. One (1) Substitute Sheet of Formal drawing for Figures 7A and 7B;
5. Change of Attorney Address in Application;
6. Check No. 506553 in the amount of \$130.00; and
7. Return Receipt Postcard.

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, April 19, 2002, in an envelope addressed to:  
ATTN: BOX MISSING PARTS, Commissioner for Patents,  
Washington, D.C. 20231

Cecilia Tobin  
(Name of Person Mailing Paper)

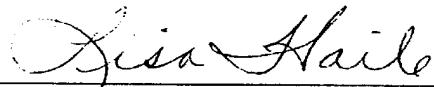
Cecilia Tobin April 19, 2002  
(Signature) (Date)

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Enclosed is Check No. 506553 in the amount of \$130.00 for the Petition filing fee. However, if any additional fee is required, the Commissioner is authorized to charge, OR **CREDIT** Deposit Account No. 50-1355. A duplicate copy of this sheet is attached.

Respectfully submitted,



Lisa A. Haile  
Lisa A. Haile, J.D., Ph.D.  
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PATENT DOCKETING

MAR 25 2002

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/966,390	09/27/2001	Lei Zhang	GENE1400-2

CONFIRMATION NO. 7376

## FORMALITIES LETTER



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Lisa A. Haile, J.D., Ph.D.  
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Date Mailed: 03/20/2002

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 7A, 7B described in the specification.
- I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must be filed within TWO MONTHS** of the date of this Notice. The petition fee will be refunded if is determined that the item(s) was received by the USPTO.
- II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must be filed within TWO MONTHS** of the date of this Notice.
- III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice **MUST** be returned with the reply.*

*Caitlin Ma*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE